

# SUMMARY MINUTES

ABAG Executive Board Meeting  
No. 369, September 17, 2009  
MetroCenter Auditorium  
101 8th Street, Oakland, CA

## 1. CALL TO ORDER

President Rose Jacobs Gibson called the meeting to order at approximately 7:06 p.m.

### Representatives and Alternates Present

Supervisor Susan Adams  
Supervisor John Avalos  
Councilmember Jane Brunner  
Councilmember Kansen Chu  
Supervisor David Cortese  
Councilmember Carole Dillon-Knutson  
Councilmember Dan Furtado  
Councilmember Richard Garbarino  
Mayor Jack Gingles  
Supervisor John Gioia  
Mayor Mark Green  
Supervisor Carole Groom  
Supervisor Scott Haggerty  
Supervisor Rose Jacobs Gibson  
Supervisor Mike Kerns  
Director Nancy Kirshner Rodriguez  
Supervisor Barbara Kondylis  
Councilmember Sam Liccardo  
Supervisor Mark Luce  
Supervisor Ross Mirkarimi  
Mayor Julie Pierce  
Vice Mayor Jean Quan  
Mayor A. Sepi Richardson  
Mayor Pamela Torliatt  
Supervisor Gayle B. Uilkema  
Councilmember Joanne Ward  
Vice Mayor Ronit Bryant  
Supervisor Alice Lai-Bitker

### Representatives Absent

Mayor Len Augustine  
Mayor Beverly Johnson  
Councilmember Ash Kalra  
Education Advisor Hydra Mendoza  
Councilmember Nancy Nadel  
Mayor Gavin Newsom  
Supervisor Ken Yeager  
Vice Chair Terry Young

### Jurisdiction

County of Marin  
County of San Francisco  
City of Oakland  
City of San Jose  
County of Santa Clara  
City of Novato  
City of Campbell  
City of South San Francisco  
City of Calistoga  
County of Contra Costa  
City of Union City  
County of San Mateo  
County of Alameda  
County of San Mateo  
County of Sonoma  
City of San Francisco  
County of Solano  
City of San Jose  
County of Napa  
County of San Francisco  
City of Clayton  
City of Oakland  
City of Brisbane  
City of Petaluma  
County of Contra Costa  
City of Hercules  
City of Mountain View  
County of Alameda

### Jurisdiction

City of Vacaville  
City of Alameda  
City of San Jose  
City of San Francisco  
City of Oakland  
City of San Francisco  
County of Santa Clara  
RWQCB

## 2. PUBLIC COMMENT

There was no public comment.

**3. ANNOUNCEMENTS**

President Jacobs Gibson announced that the meeting will be adjourned in memory of Mike Shimansky, Councilmember, Town of Danville.

There were no other announcements.

**4. PRESIDENT'S REPORT**

President Jacobs Gibson reported on the following:

SB 406 passed the legislature and is on the Governor's desk for signature. SB 406, authored by Senator Mark DeSaulnier, sponsored by CALCOG, and initiated by ABAG, authorizes MPOs and COGs to levy a vehicle surcharge of up to \$2 on vehicles in the region. A \$2 surcharge would mean \$12 million to the region annually, half of which would go to local governments. Members were asked to encourage the Governor to sign the bill by sending letters of support or calling his office to express support for SB 406. A letter from the Executive Board was circulated for signature by members.

The San Francisco Estuary Partnership (SFEP) received a \$5 million American Recovery and Reinvestment Act (ARRA) grant for region-wide trash capture grants to local jurisdiction. This funding will help municipalities respond to 26 proposed 303(d) listings for trash impairment, and begin to bring them into compliance with the Bay Area's first-ever requirement to reduce trash, part of the recently adopted regional NPDES permit for storm water discharges. The SFEP will purchase and install all types and sizes of trash capture devices in existing storm drain systems, facilitate training and information sharing among cities and with the Regional Water Board, and create a foundation for the eventual elimination of trash from Bay Area creeks and the Bay.

The San Francisco Bay Restoration Authority is now up and operational. Executive Board members Dave Cortese, Supervisor, County of Santa Clara, and John Gioia, Supervisor, County of Contra Costa, are members of the Restoration Authority, along with other elected and one appointed official. Supervisor Gioia was elected Vice Chair of the Authority at the July meeting. Sam Schuchat, Executive Officer of the California State Coastal Conservancy, is Chairperson.

The State of the Estuary Conference is on September 29 to October 1. Lisa P. Jackson, Secretary, U.S. Environmental Protection Agency, will kick off the conference, which usually attracts upwards of 800 environmentalists, scientists and others, provides an assessment of the ecological health of the San Francisco Bay-Delta Estuary, and brings the latest information about the Estuary's changing watersheds, impacts from stressors like climate change, and ideas and actions for how we can prepare for the future. Executive Board members Barbara Kondylis, Supervisor, County of Solano, Susan Adams, Supervisor, County of Marin, and Kansen Chu, Councilmember, City of San Jose, serve on the San Francisco Estuary Partnership Implementation Committee. Members were encouraged to take part in all or part of the conference.

The Fall General Assembly is on October 22 at the Westin St. Francis Hotel in San Francisco. Ron Sims, Deputy Secretary, Department of Housing and Urban Development, has been tapped to kick-off what is sure to be an informative session.

Will Fleissig, President of Communitas Development, Inc., is scheduled to be the luncheon speaker. Members were encouraged to attend.

The consent calendar includes procedures for the election of ABAG officers.

**5. EXECUTIVE DIRECTOR'S REPORT**

Ezra Rapport, ABAG Deputy Executive Director, reported on the following:

Since the last Board meeting in July, ABAG issued Projections 2009 during a well attended workshop attended by about 200 local government and business leaders.

Staff members from JPC agencies continue to meet to better define the SB 375 work plan, decision milestones, and public participation plan. Staff expects that a public participation plan will need to be approved by the Executive Board no later than June 2010. A more detailed report on the schedule of milestone decisions and the content of the work plans leading to those decisions will be available at the next Executive Board meeting.

SB 406 passed out of the Assembly Appropriations Committee and the Assembly. ABAG has been assisting with the shepherding of the bill through its committees. Staff has been involved in alerting those advocates for SB 375 among government, environmental, and the business communities about the importance of SB 406 in financing the implementation of SB 375 planning, and communicating with the Governor's office regarding his signature on SB 406.

The Governor and others in Sacramento recognize that future budget crises are inevitable unless there is reform of the State's revenue and expenditure system, including reform proposals to be introduced by initiative and the possibility of calling for a Constitutional Convention. The Governor's tax reform committee, the Commission on the 21st Century Economy, has produced a report on tax structure options, highlighting findings on revenue volatility and tax burden distribution. The Governor intends to call a special session of the Legislature to discuss options in September.

The SFEP was able to restart its frozen Proposition 50 state grant, Taking Action for Clean Water, Bay Area TMDL Implementation, with ARRA funds under a forgivable loan from the State Water Board's SRF program. The first project involved a creek restoration project being implemented by grant partner, the Midpeninsula Regional Open Space, in the Los Trancos Preserve of the San Francisquito Creek watershed.

ABAG and the SFEP have applied to the State Water Board for ARRA forgivable loan funding for two expanded use projects. The El Cerrito Green Streets pilot project retrofits a dense urban corridor with green storm water infrastructure that detains and treats urban runoff to remove pollutants; the project cost is \$392,000 and time to complete construction is six months. The Trash Capture project will manage and implement a region-wide demonstration project to provide Bay Area cities with trash capture devices to retrofit existing storm drain infrastructure; an initial request of \$5 million is being considered for funding.

On August 29, the San Francisco Bay Trail Project joined Caltrans, MTC, the cities of Martinez and Benicia, the Bay Area Ridge Trail Council and the East Bay Regional

Park District to celebrate the opening of the new bicycle-pedestrian pathway on the Benicia-Martinez Bridge, which closes a gap in the Bay Trail and the Ridge Trail and further extends the Carquinez Strait Scenic Loop Trail.

The Governing Board of the San Francisco Bay Restoration Authority met on July 29. Among the items discussed were the formation of the Advisory Committee and a report entitled *San Francisco Bay Restoration Authority Funding Options 2009* by Save The Bay. The San Francisco Foundation awarded a grant of \$75,000 to the San Francisco Bay Restoration Authority on August 24 to complete research over the next six to twelve months on the best funding mechanisms.

Financings delivered by ABAG and its affiliated entities since the last report include: \$240 million in Tax-Exempt Revenue Bonds on behalf of San Diego County for various capital needs of the Sharp HealthCare System.

President Jacobs Gibson thanked Deputy Executive Director Rapport for his report.

**6. CONSENT CALENDAR**

President Jacobs Gibson recognized a motion by Barbara Kondylis, Supervisor, County of Solano, and seconded by Jack Gingles, Mayor, City of Calistoga, to approve the consent calendar. The motion passed unanimously.

**A. Approval of Executive Board Summary Minutes\*\***

Summary Minutes of Meeting No. 368 held on July 16, 2009.

**B. Grant Applications**

A list of grant applications was approved for submission to the State Clearinghouse, having been circulated in ABAG's "Intergovernmental Review Newsletter" since the last Executive Board meeting.

**C. Appointment to Committees**

Approved the following appointment to committee:

Regional Planning Committee

Charlie Knox, Community Development Director, City of Benicia, representing Bay Area Planning Directors Association; and

Ann Gressani, Policy Development and Communications Director, Non-Profit Housing Association of Northern California, replaces Dianne Spaulding.

**D. ABAG Officer Election Calendar\*\***

The Board endorsed a schedule and procedure for the election of President and Vice President of the Association, which occurs in 2009, including a canvassing committee for officer selection.

**E. Authorization to Enter Into Contract With CalFed/California Department of Natural Resources to Provide Support for CALFED Science Program (CSP) and Approval of Resolution No.16-09\*\***

Authorized the Executive Director or designee to enter into a new two-year contract on behalf of ABAG/San Francisco Estuary Partnership with the Natural Resources Agency to continue providing support for CALFED Science Program. The contract amount will not exceed \$300,000.

**F. Authorization to Apply for U.S. Environmental Protection Agency (U.S. EPA) Grant for Comprehensive Conservation and Management Plan (CCMP) Implementation Projects under San Francisco Bay Area Water Quality Improvement Funds\*\***

Authorized ABAG/SFEP to submit a proposal for \$5 million in grant funding from U.S. EPA's San Francisco Bay Area Water Quality Improvement Funds, and if awarded, to enter into an agreement with U.S. EPA. The grant period will be two to four years and matching funds provided by participating partners.

**G. Request for Authorization to Amend an Interagency Agreement with California Department of Transportation (Caltrans) to Provide Technical Support for Permit Processing\*\***

Authorized the Executive Director or designee to enter into an interagency agreement modification with Caltrans to provide technical resources to the San Francisco Bay Regional Water Quality Control Board (RWQCB) and the North Coast Regional Water Quality Control Board.

**H. Authorization to Issue Purchase Order to Radston's Office Plus\*\***

Authorized the Executive Director or his designee to issue a general purchase order to Radston's Plus to provide general office supplies during FY 2009-10 in an amount not to exceed \$30,000 with an option to renew for three additional consecutive one year periods ending June 30, 2013 subject to approval of future agency budgets.

**7. THIRD ROUND PRIORITY DEVELOPMENT AREA (PDA) NOMINATIONS\*\***

Kenneth Kirkey, ABAG Planning Director, and Doug Johnson, MTC Senior Planner, presented staff recommendations for Priority Development Area designation and discussed recommended process for future PDAs. Kirkey provided a program overview of Priority Development Areas and Priority Conservation Areas and listed focused growth criteria. Johnson described PDAs and PCAs, highlighted online showcases, and described financial and technical assistance.

Kirkey outlined the application process for the third call for PDA applications. The areas recommended for adoption include the Appian Way Corridor, Civic Center/North San Rafael Town Center, Ravenswood Business District and 4-Corners, South San Francisco Downtown, and Cottle Transit Village and Shopping Center. The areas not recommended for adoption include Northern Gateway, Airport/Larkfield, Russian River/West County, and The Springs, Sonoma Valley. He described a proposed PDA review process and proposed PDA transit criteria. He noted that the Regional Planning Committee endorsed the staff recommendations at its meeting in August.

Members discussed neighborhood redevelopment plans; MTC's Resolution 3434, the region's transit expansion policy; and transit criteria related to housing, job centers, and employment centers.

President Jacobs Gibson recognized a motion by Gayle B. Uilkema, Supervisor, County of Contra Costa, which was seconded by Supervisor Kondylis, to adopt staff recommendations for Priority Development Areas, including approval of the list of new planned and potential PDAs; approval of the proposed process for accepting, reviewing, and designating future PDA applications; and approval of the proposed

revision and clarification of the PDA transit-service criteria. The motion passed unanimously.

President Jacobs Gibson thanked Messrs. Kirkey and Johnson for their report.

**8. BUILDING MOMENTUM: PROJECTIONS AND PRIORITIES 2009\*\***

Paul Fassinger, ABAG Research Director, discussed *Building Momentum: Projections and Priorities 2009*, the document and conference that describe long run forecast of growth, its relationship to the Priority Development and Conservation Areas, and how the forecast compares to regional performance targets. He noted the addition of descriptions accompanying the tables and described the rule of thumb thresholds related to growth and development around transit. He acknowledged the work of ABAG and MTC staff in the producing the report.

Members discussed employment rates, census and Department of Finance data, greenfield development, vehicle miles traveled, and particulate matter rates.

President Jacobs Gibson thanked Mr. Fassinger for his report.

**9. YOUTH GUN VIOLENCE TASK FORCE RECOMMENDATIONS\*\***

President Jacobs Gibson reported on the Youth Gun Violence Task Force, requested that the Executive Board endorse the recommendations of the Youth Gun Violence Task Force, and encouraged all cities and counties in the region to adopt the package of ordinances and resolutions to put into place laws and regulations that limit the accessibility of weapons and sale of ammunition by youth in communities.

President Jacobs Gibson recognized a motion by Supervisor Kondylis, which was seconded by Sam Liccardo, Councilmember, City of San Jose, to approve the staff report. The motion passed with one abstention (Cortese).

**10. REGIONAL MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN\*\***

Jeanne Perkins, ABAG Earthquake Program Consultant, and Danielle Hutchings, ABAG Earthquake and Hazards Specialist, reported on and requested Executive Board endorsement of the updated regional and ABAG mitigation priorities included in the Multi-Jurisdictional Hazard Mitigation Plan. Perkins provided an overview of the Disaster Mitigation Act of 2000, listed the reasons for completing a plan, described ABAG's role in the multi-jurisdictional plan, and described earthquake and weather-related hazards. Hutchings described mitigation strategies and setting regional priorities and reported on the workshops held to define priorities and listed recommendations which were endorsed by the Regional Planning Committee and invited public comment as required.

Members discussed sea level rise and its impact on transportation, stand-alone mitigation plans for Contra Costa and San Francisco counties, and SUASI disaster-response.

President Jacobs Gibson recognized a motion, which was seconded, to endorse the planning process and approve the updated Regional Mitigation Strategy Priorities for the region and ABAG included in the Multi-Jurisdictional Hazard Mitigation Plan. The motion passed unanimously.

President Jacobs Gibson thanked Mss. Hutchings and Perkins for their report

**11. REGIONAL SOLAR AND ENERGY EFFICIENCY FINANCING DISTRICT\*\***

Ezra Rapport, ABAG Deputy Executive Director, provided the Board with an update on progress to date for a regional Solar and Energy Efficiency Financing District (SEED). He provided an overview of the SEED planning, reported on the marketing analysis, including an online survey and its results, described the components of a business case, and reported on Senate Bill 279.

Members discussed PG&E's support of an initiative related to implementation of Community Choice Aggregation by jurisdictions, inviting PG&E representatives to address the issue, and making decisions based on independent data analysis.

President Jacobs Gibson thanked Mr. Rapport for his report.

**12. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT\*\***

President Jacobs Gibson recognized Committee Chair Carole Dillon-Knutsen, Councilmember, City of Novato, who reported on committee activities, including: a report on S 1619, The Livable Communities Act of 2009, and HR 3525, Tax Exempt Private Activity Bond Use for Renewable Energy Generation and Energy and Water Efficiency Projects; recommendations on bills for consideration in the 2009 Legislative Session, including SB 406 and SB 279, and a report on bills enrolled; an update from the Youth Gun Violence Task Force on model ordinances and resolutions; and a recommendation for a presentation on a proposed constitutional convention.

President Jacobs Gibson recognized a motion by Chair Dillon-Knutsen, which was seconded by Mike Kerns, Supervisor, County of Sonoma, to approve the staff report. The motion passed unanimously.

President Jacobs Gibson thanked Chair Dillon-Knutsen for her report.

**13. FINANCE & PERSONNEL COMMITTEE REPORT\*\***

President Jacobs Gibson recognized Committee Chair Scott Haggerty, Supervisor, County of Alameda, who reported on committee activities, including: approval of the June and July 2009 financial reports; membership dues; the Diversity and Business Opportunity Report for Fiscal Year 2008-09; authorization to borrow up to \$700,000 for office renovation; and a closed session regarding a legal matter.

President Jacobs Gibson recognized a motion by Chair Haggerty, which was seconded by Supervisor Kerns, to approve the staff report. The motion passed unanimously.

President Jacobs Gibson thanked Chair Haggerty for his report.

**14. ADJOURNMENT**

Meeting adjourned in memory of Mike Shimansky, Councilmember, Town of Danville,  
at approximately 8:40 p.m.

Henry L. Gardner, Secretary-Treasurer

\*\* Indicates attachments.

\*\*\* For information on the L&GO Committee, contact Patricia Jones at (510) 464 7933 or [PatJ@abag.ca.gov](mailto:PatJ@abag.ca.gov), or Kathleen Cha at (510) 464 7922 or [KathleenC@abag.ca.gov](mailto:KathleenC@abag.ca.gov).

All ABAG Executive Board meetings are recorded. To arrange for review of these tapes, please contact Fred Castro, Clerk of the Board, at (510) 464-7913 or [FredC@abag.ca.gov](mailto:FredC@abag.ca.gov).